

AMENDMENT NO. 3
TO THE DESIGN ENGINEERING SERVICES CONTRACT BETWEEN
THE MILWAUKEE COUNTY DEPARTMENT OF TRANSPORTATION

AND

Himalayan Consultants, LLC (CONSULTANT)

For Roadway Design Services

S. North Cape Road (CTH J) Reconstruction
Hi-View Drive to Forest Home Avenue
City of Franklin
Project I.D. WH020151

The CONTRACT, made and entered into by and between Milwaukee County, hereinafter named the COUNTY, and Himalayan Consultants, LLC hereinafter named the CONSULTANT, dated April 29th 2013 is hereby amended as set forth on the following pages, which are annexed and made a part of the original CONTRACT.

1. SCOPE OF SERVICES

A. The CONSULTANT shall perform the following additional design services as requested by Milwaukee County:

(1) Drainage Design - City of Franklin – This item includes the drainage design as requested by the City of Franklin. This amount will be reimbursed to the County by the City. Included in the design is the following:

- Determining peak flows pre and post construction.
- Sizing the ditches to ensure proper flow in a 25-year storm per FDM standards.
- Sizing driveway and cross culverts for the 25-year storm.
- Determining which areas will require an enclosed ditch to save trees or stay within the right-of-way.
- Sizing the enclosed ditch, placing inlets, and ensuring that there is sufficient cover over the pipes.
- Check the drainage design for the 50-year event to ensure that there is no overtopping of the roadway.

(2) Roadway Design for CTH MM – To facilitate the on-going design for CTH MM, Himalayan extended the roadway and drainage design 300' to the east along CTM MM.

(3) Left Turn Lane Design for Country Dale School – During a stakeholder meeting, Country Dale School expressed a need to have a left turn lane into their parking lot for school buses and parents. Himalayan developed two alternatives. The chosen alternative was designed and included in the plans. The challenge in this task was that the intersection with CTH MM is only a few hundred feet to the south; therefore each alternative had to address the CTH MM intersection as part of the alternative.

(4) Roadway Design for Rerouting S. North Cape Road at Hi-View – Himalayan developed four alternatives and wrote an alternatives analysis report for the realignment of S. Cape Road at Hi-View to address safety concerns. The chosen alternative was then designed and included in the plan.

(5) Additional Grading for Plewa and Ferry properties – At a stakeholder meeting, Himalayan brought up issues with grading the Plewa and Ferry properties. Ditching and storm sewer installation are not recommended in front of the Plewa property due to the underground storage tanks that were abandoned in place. The Ferry property to the south has its own issues with parking. It was decided that Steve Taylor and a member of Himalayan's staff would meet with the two property owners to work out a plan for grading and drainage in front of these properties. The agreed upon solutions were then designed and incorporated in the plans.

- (6) **Additional Utility Coordination** - The original contract provided for coordinating with the utilities in the corridor similar to the Trans 220 process for one PS&E package. This amendment covers the additional efforts through the rest of the project.
- (7) **Incorporating Culvert Repair / Permitting** – Himalayan will incorporate the plan sheets, details, miscellaneous quantities and special provisions for the box culvert repair. Himalayan will also incorporate the culvert repair work in the General Permit for the USACE and DNR as well as in the Notice of Intent with the DNR. All application fees are to be paid by the County.
- (8) **Revisions to the plan for LMA** – The Local Municipal Agreement (LMA) with the City of Franklin was negotiated after the completion of the plan set. During negotiations, changes were made to which items would be in which Categories. Himalayan will revise the plans accordingly.

2. EXTRA WORK

The work described in Section 1 shall be considered **EXTRA WORK** under the **CONTRACT** and shall be provided for by this **AMENDMENT**.

3. BASIS OF PAYMENT

- A. The **CONSULTANT** shall be compensated for the **EXTRA WORK** provided for by this **AMENDMENT** and further defined as follows:

Payment for the service described in the Scope of Services for Project I.D. WH020151 shall be on an Actual Cost basis an increase of eighty eight thousand three hundred eighty one dollars and seventy cents, (\$88,381.70) to the contract for a total contract amount of three hundred forty seven thousand seven hundred fifty four dollars and seventy cents (\$347,754.70).

4. TIME OF COMPLETION

The work described in Section 1 for Project I.D. WH020151 shall be completed by November 1st, 2015.

ID: WH02015 Amendment #3
S. North Cape Road (CTH J)
HI-View Dr. - Forest Home Ave.
Milwaukee County

Himalayan Consultants, LLC
February 25, 2015

Contract Direct Labor Detail

Employee Name(a)	Classification(b)	Current Rate(c)	Weighted Average Hourly Rate(l)
Gopal Adhikary	Principal	\$50.42	\$50.42
Paul Jenswold	Project Manager	\$40.00	\$40.00
Mark Babich	Project Engineer	\$38.00	\$38.00
Joe Jolie	Staff Engineer	\$30.00	\$30.00
Shardul Sharma	Staff Engineer	\$30.00	\$30.00
Scott Mulcahy	Surveyor	\$30.00	\$30.00

Contract Completion Date: 11/1/2015

ID: WH02015 Amendment #3
 S. North Cape Road (CTH J)
 Hi-View Dr. - Forest Home Ave.
 Milwaukee County

Himalayan Consultants, LLC
 February 25, 2015

Summary of Staff Hours and Direct Labor Costs

PROJECT TOTAL

Classification		Principal		Project Manager		Project Engineer		Staff Engineer		Surveyor		Total Direct Labor	
Avg. Hourly Wage		\$50.42		\$40.00		\$38.00		\$30.00		\$30.00			
Task	Activity Code	Hours	Dollars	Hours	Dollars	Hours	Dollars	Hours	Dollars	Hours	Dollars	Hours	Dollars
Drainage Design-Franklin	789	0	\$0.00	8	\$320.00	96	\$3,648.00	220	\$6,600.00	0	\$0.00	324	\$10,568.00
Roadway Design for CTH MM	742	0	\$0.00	2	\$80.00	24	\$912.00	40	\$1,200.00	0	\$0.00	66	\$2,192.00
Left Turn Lane Design for Country Dale School	742	0	\$0.00	10	\$400.00	16	\$608.00	40	\$1,200.00	0	\$0.00	66	\$2,208.00
Roadway Design for Rerouting S. North Cape at Hi-View	742	0	\$0.00	16	\$640.00	80	\$3,040.00	152	\$4,560.00	0	\$0.00	248	\$8,240.00
Additional Grading for Plewa and Ferry properties	742	0	\$0.00	2	\$80.00	40	\$1,520.00	16	\$480.00	0	\$0.00	58	\$2,080.00
Additional Utility Coordination	746	0	\$0.00	2	\$80.00	16	\$608.00	40	\$1,200.00	0	\$0.00	58	\$1,888.00
Incorporating Culvert Repair / Permitting	798	0	\$0.00	4	\$160.00	24	\$912.00	24	\$720.00	0	\$0.00	52	\$1,792.00
Revisions to Plans for LMA	786	0	\$0.00	4	\$160.00	16	\$608.00	32	\$960.00	0	\$0.00	52	\$1,728.00
TOTAL:		0	\$0.00	48	\$1,920.00	312	\$11,856.00	564	\$16,920.00	0	\$0.00	924	\$30,696.00

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 S. North Cape Road (CTH J)
 Hi-View Dr. - Forest Home Ave.
 Milwaukee County

Himalayan Consultants, LLC
 February 25, 2015

Fee Computation Summary by Engineering Task

PROJECT TOTAL

Task	Activity Code	Direct Labor Costs	Overhead & Profit Costs	Direct Expenses	Total
Drainage Design-Franklin	789	\$10,568.00	\$19,825.57	\$0.00	\$30,393.57
Roadway Design for CTH MM	742	\$2,192.00	\$4,112.19	\$0.00	\$6,304.19
Left Turn Lane Design for Country Dale School	742	\$2,206.00	\$4,142.21	\$0.00	\$6,350.21
Roadway Design for Rerouting S. North Cape at Hi-View	742	\$8,240.00	\$15,458.24	\$0.00	\$23,698.24
Additional Grading for Plewa and Ferry properties	742	\$2,000.00	\$3,902.08	\$0.00	\$5,902.08
Additional Utility Coordination	746	\$1,888.00	\$3,541.89	\$0.00	\$5,429.89
Incorporating Culvert Repair / Permitting	798	\$1,792.00	\$3,381.79	\$0.00	\$5,173.79
Revisions to Plans for LMA	788	\$1,728.00	\$3,241.73	\$100.00	\$5,069.73
TOTAL:		\$30,896.00	\$57,585.70	\$100.00	\$88,581.70

Company Wide Overhead & Profit Rate: 187%

ID: WH02015 Amendment #3
S. North Cape Road (CTH J)
Hi-View Dr. - Forest Home Ave.
Milwaukee County

Himalayan Consultants, LLC
February 25, 2015

Direct Expenses by Item

Direct Expenses-Himalayan Consultants, LLC				
Item	Unit Amount	Unit Type	Rate	Total Expenses
Mileage - Employee Vehicle	0	Miles	\$0.555	\$0.00
Copies (Black and White) - In House	1000	Each	\$0.10	\$100.00
TOTAL				\$100.00

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 Milwaukee County

Himalayan Consultants, LLC
 February 25, 2015

Contract Total Fee Computation

Project ID	WH02015				Total for Contract
	Original	Amendment #1	Amendment #2	Amendment #3	
Number of Staff Hours	307	1892	292	924	3415
Total Direct Labor	\$10,477.72	\$62,699.36	\$10,384.00	\$30,898.00	\$114,257.08
Total Overhead Costs	\$19,656.20	\$117,623.98	\$19,480.39	\$57,585.70	\$214,346.27
Direct Expenses	\$16,561.35	\$2,370.00	\$120.00	\$100.00	\$19,151.35
TOTAL COST	\$46,695.27	\$182,693.34	\$29,984.39	\$88,381.70	\$347,754.70

Company Wide Overhead & Profit Rate:

187.60%



HIMACON-01 PGREENTHAL

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
3/28/2014

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Robertson Ryan - Milwaukee Two Plaza East, Suite 650 330 East Kilbourn Avenue Milwaukee, WI 53202	CONTACT NAME: PHONE (A/C, No, Ext): (414) 271-3575 FAX (A/C, No): (414) 271-0196 E-MAIL ADDRESS:	
	INSURER(S) AFFORDING COVERAGE	
INSURED Himalayan Consultants LLC W156 N11357 Pilgrim Rd Germantown, WI 53022	INSURER A: Admiral insurance Company NAIC #	
	INSURER B: FRANKENMUTH MUTUAL INSURANCE COMPANY 13986	
	INSURER C:	
	INSURER D:	
	INSURER E:	

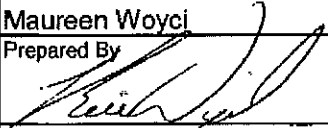
COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input checked="" type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR <input checked="" type="checkbox"/> \$5000 Ded GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC <input checked="" type="checkbox"/> OTHER: Railroads Lia #CG241		FEIECC1408900	03/29/2014	03/29/2015	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 50,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 3,000,000 PRODUCTS - COMP/OP AGG \$ 3,000,000 XS Project \$ 3,000,000
B	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS		BA6080108	03/31/2014	03/31/2015	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input checked="" type="checkbox"/> EXCESS LIAB <input checked="" type="checkbox"/> CLAIMS-MADE DED RETENTION \$		FEIEXS1409000	03/29/2014	03/29/2015	EACH OCCURRENCE \$ 5,000,000 AGGREGATE \$ \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N/A	WC6080108	03/31/2014	03/31/2015	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
A	Pollution Agg \$3mm		FEIECC1408900	03/29/2014	03/29/2015	each claim 1,000,000
A	Profess Agg-\$3mm		FEIECC1408900	03/29/2014	03/29/2015	Each Claim 2,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
 Project: WH020121-South 68th St (CTH A) Project #WH020151-S. North Cape Rd (CTH J). Milwaukee County DOT is included as an additional insured regarding Gen Lia. Prof Lia retro date is 12/1/01. Ded applicable to Gen Lia, Poll Lia and Prof Lia is \$5,000. WC includes Waiver of subrogation.

CERTIFICATE HOLDER Milwaukee County DOT Transportation Services Attn: Andrea Weddle-Henning 2711 W Wells St #300 Milwaukee, WI 53208	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
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CONTRACT FORM 1684 R4 (Refer to ADMINISTRATIVE MANUAL Section 1.13, for procedures)											
Mail to: Preliminary: Office of the Comptroller, Contract Signatures, Room 301 Courthouse Final: Office of the Comptroller, Accounts Payable, Room 301 Courthouse Community Business Development Partners, 8th Floor City Campus								CONTRACT TYPE			
								Professional Service - Operating			
								Professional Service - Capital			
								Purchase of Service			
				Preliminary		Final					
				X							
DEPARTMENT NAME								AGENCY NO.		DEPARTMENT (HIGH) ORG	
Department of Transportation								120		1200	
VENDOR INFORMATION											
VENDOR NO.				ORDER TYPE		NEW or	AMEND	CONTRACT NO.			
92949							X				
NAME OF VENDOR						ADDRESS					
Himalayan Consultants						Post Office Box 693 Germantown, WI 53022					
TAX I.D. NO.		EFFECTIVE DATES:		LENGTH OF CONTRACT (IN MONTHS)		AMENDMENT ONLY: DOLLAR CHANGE		TOTAL CONTRACT AMOUNT			
		begin date end date		14		\$ 118,366.09		\$ 449,189.69			
11/01/14		12/31/15									
ACCOUNTING INFORMATION											
Year to be Expended	Line No	Fund	Agency	Org Unit	Activity	Function	Object	Job Number	Report Cat	Units	Amount to be Expended/ Amendment
2015	01	1200	120	1200	WHF5	W1A3	8530	WH020151			\$ 29,984.39
2015	01	1200	120	1200	WHF5	W1A3	8530	WH020151			\$ 88,381.70
PURPOSE OF CONTRACT											
The preliminary engineering contract for S. North Cape Rd. (WH020151) is amended to include design duties including roadway plans, storm water/drainage plans and other requirements as outlined in the attached amendments.											
Was County Board approval received prior to contract execution or contract amendment or extension?											
<input type="checkbox"/> If YES, give County Board File No. _____ Date Approved _____											
<input type="checkbox"/> If NO, why is County Board approval not required? _____											
Was Contract fully executed prior to work being performed (all signatures received)?											
<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO											
Is Vendor a certified professional service DBE?											
<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO											
Maureen Woyci				03/16/15		Senior Capital Financial Analyst					
Prepared By				Date		Title					
				3/16/15		Director, Department of Transportation					
Signature of County Administrator				Date		Title					

IN WITNESS WHEREOF, This Agreement executed the day and year first above written.

VENDOR NAME ON CONTRACT


MARCH 13, 2015
Vendor Binding Signature. Date

**FOR MILWAUKEE COUNTY
WISCONSIN.**

DocuSigned by:
Rick Norris 3/16/2015
AD4C6B Community Bus. Dev. Partners Date

DocuSigned by:
 3/16/2015
E454E Risk Management Date

Approved as to Execution

DocuSigned by:
Mark A. Grady 3/16/2015
2BE67 Corporation Counsel Date

Pursuant to 59.255(2)(3) Wisconsin Statutes

DocuSigned by:
 3/17/2015
F7354A Controller Date

Director, Department of Transportation

DocuSigned by:
Brian Dranzik 3/17/2015
DC80BD388A73433... Date

Pursuant to 59.17(2)(b)(4) Wisconsin Statutes

County Executive Date

Pursuant to 59.42(2)(b)(5) Wisconsin Statutes

Corporation Counsel Date